

By: Hall

S.B. No. 2232

A BILL TO BE ENTITLED

AN ACT

relating to elections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0015 to read as follows:

Sec. 41.0015. ELECTION PERIOD. In this title, "election period" means the period beginning on the first day of voting by personal appearance and ending when the polls close on election day.

SECTION 2. Subchapter A, Chapter 43, Election Code, is amended by adding Section 43.008 to read as follows:

Sec. 43.008. POLLING PLACES DURING ELECTION PERIOD. (a) The county clerk or commissioners court, as applicable, shall determine the number of polling places needed during an election period and cause that number of polling places to be open during the election period.

(b) If the county clerk or commissioners court, as applicable, determines that more polling places are needed during the election period than the number initially established under Subsection (a), the county clerk or commissioners court may open more polling places, but may not, for any reason, close a polling place before the end of the election period.

(c) In a county with a population of one million or more, the number of polling places located in each state representative

1 district included in the territory of the county is calculated by
2 dividing the number of eligible voters residing in that district by
3 the total number of eligible voters residing in the county and using
4 the number generated as a percentage to allocate the same
5 percentage of polling place locations, rounding up to the nearest
6 whole number, if necessary

7 SECTION 3. Section 61.002, Election Code, is amended to
8 read as follows:

9 Sec. 61.002. OPENING AND CLOSING POLLING PLACE FOR VOTING.

10 (a) Immediately before opening the polls for voting on the first
11 day of the election period, the presiding election judge shall
12 confirm that each voting machine has any public counter reset to
13 zero and shall print the tape that shows the counter was set to
14 zero.

15 (b) At the official time for opening the polls for voting,
16 an election officer shall open the polling place entrance and admit
17 the voters.

18 (c) Immediately after closing the polls for voting on the
19 last day of the election period, the presiding election judge shall
20 print the tape to show the summary for each candidate or ballot
21 measure for each voting machine.

22 (d) Each precinct election judge and an official election
23 worker from the opposite party shall sign a tape printed under this
24 section.

25 SECTION 4. Sections 85.001(a) and (e), Election Code, are
26 amended to read as follows:

27 (a) The period for ~~early~~ voting by personal appearance

1 begins on the [~~17th~~] 14th day before election day and continues
2 through the [~~fourth~~] day before election day, except as otherwise
3 provided by this section.

4 (e) For an election held on the uniform election date in May
5 and any resulting runoff election, the period for ~~early~~ voting by
6 personal appearance begins on the [~~12th~~] 10th day before election
7 day and continues through the [~~fourth day before~~] election day.

8 SECTION 5. Chapter 121, Election Code, is amended by adding
9 Section 121.004 to read as follows:

10 Sec. 125.0635. SECURING EQUIPMENT ON FAILURE OF EQUIPMENT.

11 (a) In this section, "election period" has the meaning assigned by
12 Section 41.0015.

13 (b) If during the election period a piece of electronic
14 voting machine equipment fails and is taken out of service, the
15 equipment and any associated memory card must be securely isolated
16 until the end of the election period.

17 SECTION 6. Chapter 276 of the Election Code, is amended to
18 is amended by adding Section 276.013 to read as follows:

19 Sec. 276.013 Feasibility Study for Single Voting Period.

20 (a) Not later than September 1, 2022, the Secretary of State
21 shall:

22 (1) Conduct a study regarding the development of a
23 plan on implementation of eliminating the four-day gap between
24 early voting and election day in order to establish a single voting
25 period for Texas elections.

26 (2) Prepare a report on the study's findings and file
27 the report with the legislature not later than September 1, 2022.

1 (b) The study must include:

2 (1) information on how other states conduct the voting
3 period and their use of paper ballots to facilitate the combined
4 period;

5 (2) information on the feasibility and costs of
6 adopting voter marked paper ballots compared to ballots printed by
7 a ballot marking device;

8 (3) recommendations for statutory changes that are
9 necessary to create a single voting period.

10 Section 7. This Act takes effect September 1, 2023.